

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**ROBERT MANUS and,
NANCY MANUS,**

Plaintiffs,

v.

Case No. 1:10-cv-1162 WDS/DJS

**DEPUY ORTHOPAEDICS, INC.
AND JOHNSON AND JOHNSON**

Defendants.

PRAECIPE FOR DEFAULT JUDGMENT

1. Plaintiffs' Complaint was filed in this Court on December 7, 2010.

2. The Complaint was sent for service on the registered agent for DePuy Orthopaedics, Inc., and as DePuy Orthopaedics, Inc., is a wholly owned subsidiary of Johnson and Johnson, Johnson and Johnson did not have a registered agent in New Mexico an additional Complaint was served to DePuy's registered agent for Johnson and Johnson

3. Service was perfected upon the Registered Agent of the Defendant, the wholly owned subsidiary of Johnson and Johnson, through the Registered Agent of Defendant Depuy Orthopaedics, on December 14, 2010.

4. The summons indicating service upon the Defendant's registered agent was returned to the Court on April 12, 2011.

5. To date, no response has been received and Defendant DePuy Orthopaedics Inc., and Defendant Johnson and Johnson have not otherwise appeared in this action pursuant to Fed. R. Civ. 55 (a)

6. Plaintiff is therefore entitled to have the Clerk enter a default judgment.

Respectfully submitted,

BRANCH LAW FIRM

By: 

Turner W. Branch

Brent M. Ferrel

2025 Rio Grande Blvd., NW

Albuquerque, NM 87104

505/243-3500

tbranch@branchlawfirm.com

bferrel@branchlawfirm.com

Attorneys for Plaintiffs